

**REMARKS**

Claims 32 and 33 are pending in the application.

Claims 70-74 have been newly added. These claims are supported by the original specification. No new matter is entered.

Claims 32-33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lomp et al. in view of Rautiola (U.S. 5,666,656).

Independent claims 32 and 73 include the distinguishing features of, while in a soft handoff mode, periodically re-selecting a base station from which the downlink signal shows the preferred signal quality and transmitting the uplink signal indicating the selected base station, among the plurality of base stations in said soft hand-off mode.

Rautiola discloses selecting a control channel and monitoring a base station using a specialized "infill base station" which has a separate and smaller coverage area than a normal base station. This specialized base station monitors the control channels of the main base stations. On the basis of the quality of the downlink channels, a main base station is selected, the uplink frequencies of which it begins to monitor.

However the combination of the prior art does not teach the features of the claimed invention. For example claim 32 recites periodically re-selecting a base station from which the downlink signal shows the best signal quality and transmitting the uplink signal indicating the selected base station, among the plurality of base stations in said soft hand-off mode.

Rautiola teaches a specialized base station monitoring other base stations. Rautiola does not suggest the feature in a mobile station, nor is there any suggestion this could be adapted to a mobile station or signal processing circuitry of a mobile station. Rautiola states the advantage of

this arrangement is to a damaged or "fallen" mother base station (col. 3, lines 1-10). The objective is an infill base station, these specialized base stations are completely different from the mobile station of applicant's claims invention.

In col. 4, lines 2-5 of Rautiola, the measurements which this base station may perform are described and the selection of the base station, however Rautiola teaches this selection is performed in the infill base station in case the mother base station is damaged, there is no description that such an arrangement can be made in the mobile station.

Also there is no description that and indication of the selection of the base station or the identification of the base station information is transmitted by the mobile station in an uplink signal.

Lomp

Lomp describes the handover FIGs. 8A-8D. Lomp teaches beginning a handover sequence, control channel processing, identification and channel setup (FIGs 8A-B). In FIG 8C Base station 1 notifies switch controller to handoff (550).

Lomp FIG 8D, (554) Switch user traffic and order tear-down of link between Mobile and Base station 1. Switch at beginning of next frame (564).

Lomp does not teach the mobile in simultaneous communication with a plurality of base stations in the soft handoff mode. Lomp does not teach maintaining a communication channel with more than one base station during a soft handoff mode. Lomp teach switching the communications channel to the other base station and tearing down the channel in the base station handed off from.

Further Lomp does not teach producing a measure of a signal quality of the downlink signals and selecting a base station from which the downlink signal shows a preferred signal

quality; and transmitting the selection information in the uplink signal, indicating the selected base station among the plurality of base stations for subsequent communication with the mobile station.


Neither Lomp or Rautiola teach Applicant's claimed mobile station in the soft handoff mode, the mobile station selecting one or more base stations by identifying among downlink signals having a predetermined property, and transmitting the information of the identified selected base station in the uplink signal.

In view of the foregoing it is respectfully requested the rejection of claims 32-33 be withdrawn. It is submitted that claims 32-33 and 70-74 are in condition for allowance which action is respectfully requested.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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